## Town of Middletown Board of Tax Assessment Review Minutes

The meeting of the Middletown Board of Tax Assessment Review was called to order at 3:09 p.m. on Thursday, February 2, 2012, in the Town Council Chambers, in order to hear and act upon the following matters pertaining to 12-31-09 and 12-31-10 assessments. Committee members Tracy Taber, Bill Flynn and Jim Leavitt were present, as were Assistant Town Solicitor Turner Scott and Recording Secretary Maureen Maurer. The committee unanimously voted to approve the minutes of January 19, 2012 meeting.

3:10 PM Danny and Maria E. Charles 9 Sundown Lane

107NE/311

Maria Daniels was present. She filed an account, has made no modifications to the house, and objected to the 2008 assessment. She contends that her house is the smallest house in neighborhood with an unfinished upstairs, mold in the basement, uneven walls. She shared comps from neighborhood.

Board decision: The board voted to ask the Tax Assessor to inspect the house at 9 Sundown Lane for condition and completion, and to look at the assessment compared to other properties in the neighborhood.

3:20 PM Glenn J. Secrest

27 Sanderling Way 3C 113/3301

Glenn Secrest was present. He did not file an account and has done a few minor modifications. The assessment is \$75,000 more than he paid for it. The roads are not complete. Bill Flynn said they have asked the Tax Assessor to look closely at Bayridge units to make sure they are assessed fairly in the next statistical reval.

Board decision: the board voted to deny the appeal.

3:30 PM Patrick Robert, Ellen E. Deason

4 Smithfield Drive 108/119

Board decision: the board voted to deny the appeal.

3:40 PM DDR Southeast Middletown LLC

1313 West Main Road 112/707

Mark Pogue appeared as a courtesy. He hopes to have a resolution of 12-31-08 and 12-31-09 court cases soon by working out the appeals with Turner Scott and the town administration.

Board decision: the board voted to deny the appeal.

3:50 PM JPB Realty dba Barry GM Distributor 250 West Main Road

108NW/197

Alexander Walsh was present. Barry GM had filed an account. He did not contest the 12-31-08 value, but he has since lost several dealerships (Cadillac, Chevrolet, and GM were all pulled). He went from 15 employees to 5 employees. The fair market value has dropped appreciably and sales are down.

Board decision: the board voted to deny the appeal.

4:00 PM Summerfield Trust

88 Summerfield Lane 129/709

Benjamin Brayton and Alexander Walsh were present. The issue is the land value as of 12/31/08; the house has been built on it since then. No issue with 12-31-10 value of building. Mr. Brayton listed three comparables that sold within a few months immediately before purchase. He shared a diagram of subject property and other vacant lots that are comparable. Turner pointed out that this case is already in court for 12-31-08 and 12-31-09 appeals.

Board decision: the board voted to deny the appeal.

4:10 PM Donald Steiner Trust

393 Indian Avenue 129/75

12-31-09 assessment 12-31-10 assessment

Alexander Walsh and Allan Booth were present. Mr. Walsh handed out the MLS sheet on the property, which is listed for \$2.595 million. The property is just south of Taggart's ferry and has CRMC issues. The Steiners bought a third property which they are building on. They had a \$1.95 mil deal that fell through when the buyer backed out for contingencies. They presented an appraisal and pictures. Allan Booth spoke about the appraisal. The Steiners paid \$2.2 million in June 2008, and the appraisal stated that the market value was between \$2.2 mil and 2.5 mil. The 12-31-08 assessment should not exceed market value within 12 months of purchase. This appeal is currently in court for the 12-31-08 and 12-31-09 applications.

Board decision: the board voted to deny the appeal.

4:20 PM Chris Shumway

675 Indian Avenue 129/70

Withdrawn (property sold)

Alexander Walsh presented a letter stating that this client withdraws his appeal.

4:30 PM Inland Western Middletown Browns Lane LLC

1360 West Main Road

106/54

Richard Wulsin was present. The client filed an account. They have 2 years on appeal in court. There have been no modifications to the property.

Board decision: the board voted to deny the appeal.

4:40 PM Middletown Associates

250-300 East Main Road 113/15A

Richard Wulsin was present. The client filed an account. They have 2 years on appeal in court. There have been no modifications to the property. Attorney Russ Jackson is representing the Town for this case.

Board decision: the board voted to deny the appeal.

4:50 PM Lawrence Connell

Shore Drive

116SE/2

Kathleen Connell and her daughter were present. Lawrence Connell, Kathleen's son, is active duty overseas. He did not file an account, did not object to the 12-31-08 assessment and has not modified the property, which is a vacant lot. Ms. Connell spoke to Tammy Boss last August, who said she would get back to me. The property has been been aggressively marketed, but they had only one offer of \$900,000. The \$1.3 million assessment went to \$1.2 million in 12-31-08

Board decision: The board wants the Tax Assessor to look at land values as they relate to waterfront property to determine if assessments are consistent and fair in the Easton's Point and Indian Avenue neighborhoods.

5:00 PM Kathleen Connell

11 Shore Drive

116SE/1

The beach house is not valued for much, but the land value is high. They did not appeal in 2008 and 2009. The property can't be refinanced because the appraisal can't come close to assessed value.

Board decision: The board wants the Tax Assessor to look at land values as they relate to waterfront property to determine if assessments are consistent and fair in the Easton's Point and Indian Avenue neighborhoods.

233 Tuckerman Avenue

116SE/17

Board decision: the board voted to deny the appeal.

9 Shore Drive 116NE/85A

This property has been on the market for 2 years with Dave Lawrence. It is a half lot listed for \$700k. They received one offer of \$350K. They can only rebuild on grandfathered footprint which is tiny. Board voted to reduce assessment in 12-31-08.

Board decision: the board voted to deny the appeal.

5:20 PM Carmen & Lisa Ripa

9 Orville Drive 106/38

Board decision: the board voted to deny the appeal.

5:30 PM Steven Avroch and Marie DiNinni-Avroch

173 Center Avenue 115SE/27311

Board decision: the board voted to deny the appeal.

5:40 PM Timken LLC (continued from January 19, 2012 meeting) 790 Aquidneck Avenue 114/93C

Timothy Downes and Steve Kirby present. The board was interested in the ROW easement, which is mentioned in the appraisal for the property as not having an impact on appraisal. Steve Kirby pointed out that the one strip of land in one zone has dramatically different value. He mapped out values of land on one side of street. Vision should use one formula on adjacent properties. The owner did pay more than the assessed value (\$900K) in 2008.

Board decision: the board voted 2-1 to deny the appeal (Tracy voted against denying the appeal).

5:50 PM William J. Wenzel Jr. and Janet M. Wenzel

(continued from the January 19, 2012 meeting)

60 Bayridge Drive 4C 113/3403

Board decision: the board voted to deny the appeal.

The meeting adjourned at 6:00 p.m.